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MANDALAY PROPERTIES HAWAII LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

COUNTY OF KAUA'I,	)	CIV NO. CV05-00052 KSC
	)	(Other Civil Action)
Plaintiff,)	
	)	[CONSOLIDATED CASES]
v.)	
	)	ERRATA TO EXHIBIT "4" OF
MANDALAY PROPERTIES HAWAI'I LLC,	)	DEFENDANT MANDALAY PROPERTIES
a Hawai'i limited liability	)	HAWAI'I LLC'S RENEWED AND
company; JOHN DOES 1-100; JANE	)	SUPPLEMENTED MOTION FOR
DOES 1-100; DOE PARTNERSHIPS,	)	SUMMARY JUDGMENT, FILED
CORPORATIONS AND/OR OTHER	)	NOVEMBER 30, 2006; EXHIBITS
ENTITIES 1-100; DOE GOVERNMENTAL	)	"A"-"B"; CERTIFICATE OF
AGENCIES 1-100,	)	SERVICE.
)	
Defendants.)	
)	
_____)	
MANDALAY PROPERTIES HAWAII LLC,	)	CIVIL NO. 03-00711 BMK DAE
)	
Plaintiff,)	
)	
vs.)	
)	

ISLAND ACCESS COALITION, WILLIAM)
YOUNG, individually, and DOE)
DEFENDANTS 1-100,)
)
Defendants.)
_____)

**ERRATA TO EXHIBIT "4" OF DEFENDANT MANDALAY PROPERTIES HAWAI'I
LLC'S RENEWED AND SUPPLEMENTED MOTION FOR SUMMARY JUDGMENT, FILED
NOVEMBER 30, 2006**

On November 30, 2006, Defendant Mandalay Properties Hawai'i LLC ("Mandalay") filed a Renewed and Supplemented Motion for Summary Judgment ("Motion"). In support of its Motion, Mandalay attached as Exhibit "4", a Deed by and between R. Armstrong, the President of the Board of Education, and the Trustees of Oahu College, dated on January 30, 1860 and recorded on April 3, 1860 in Liber 12, Page 400 ("Board of Education Deed"). A typed version of the handwritten original deed was attached to that exhibit for the Court's convenience.

This errata is submitted to correct the typed version of the Board of Education Deed, which incorrectly stated that the deed was "in accordance with Section 949 of the Civil Code." See Exh. "4" to Motion at 1. The section of the code referenced in the deed is "Section 749", which is corrected in the typed version attached hereto as Exhibit "A".

The reference to "Section 949" was a typographical error. First, the handwritten original of the Board of Education Deed stated "Section 749". See Exh. "4" to Motion. Moreover, Section 949 is irrelevant to the conveyance of School Lands, instead, it pertained to summary proceedings to recover

possession of land in cases related to the non-payment of rent.
See Exh. "B", attached, Article XL of "The Civil Code of the
Hawaiian Islands" §949 (1859).

Dated: Honolulu, Hawai'i, January 9, 2007.

/s/ MEI FEI KUO

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